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E-filed 2/10/06

5 Attorneys for Defendant
ArthroCare Corporation

12 ALLIED HEALTH ASSOCIATION, INC.
and KENNETH P. CALLISON.

CASE NO. C 05-04276.JF

**STIPULATION AND [PROPOSED] ORDER
TO CONTINUE CASE MANAGEMENT
CONFERENCE**

Plaintiffs,

Plaintiffs.

V.

15 ARTHROCARE CORPORATION, and
16 DOES 1 THROUGH 100 INCLUSIVE.

Defendants

Date: March 10, 2006

Date: March 16, 2003
Time: 10:30 a.m.
Courtroom: 3, 5th Floor
Judge: Hon. Jeremy Fogel

20 WHEREAS, Allied Health Association, Inc. and Kenneth P. Callison

21 ("Plaintiffs") filed the Complaint in this action in Santa Clara County Superior Court on July 12,
22 2005;

23 WHEREAS, on October 21, 2005, ArthroCare Corporation (“ArthroCare”)
24 removed this action to this Court on diversity grounds pursuant to 28 U.S.C. §1441(b);

25 WHEREAS, ArthroCare filed a Motion to Compel Arbitration and to Dismiss
26 Action or Stay Proceedings Pending Arbitration (the “Motion”) on November 9, 2005;

27 WHEREAS, Plaintiffs filed their opposition to ArthroCare's Motion on January 3,
28 2006, and ArthroCare filed its reply in support of the Motion on January 27, 2006.

1 WHEREAS, the hearing on ArthroCare's Motion is scheduled for February 10,
2 2006;

3 WHEREAS, the Initial Case Management Conference in this action is currently
4 scheduled for February 24, 2006;

5 WHEREAS, the parties have met and conferred regarding the Initial Case
6 Management Conference and agreed that further preparation for the Initial Case Management
7 Conference would be premature while ArthroCare's Motion remains pending;

8 WHEREAS, the parties believe that continuing the date of the Initial Case
9 Management Conference would promote the most efficient use of the Court's and the parties'
10 resources by postponing further preparation for the Initial Case Management Conference, if
11 necessary, until after the hearing on ArthroCare's motion;

12 THEREFORE, the parties hereby stipulate, and request the Court to order, that the
13 date of the Initial Case Management Conference be continued to 10:30 a.m. on March 10, 2006.

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15 Dated: February 3, 2006

LATHAM & WATKINS LLP

Peter T. Snow

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By _____ /s/

Peter T. Snow
Attorneys for Defendant
ArthroCare Corporation

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Dated: February 3, 2006

SAUCEDO & CORSIGLIA

Bradley M. Corsiglia

By _____ /s/

Bradley M. Corsiglia
Attorneys for Plaintiffs
Allied Health Association and
Kenneth P. Callison

1 * * *

2 **ORDER**

3 Pursuant to the stipulation of counsel, IT IS SO ORDERED.

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5 Dated: 2/10/06

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The Honorable Jeremy Fogel
United States District Judge